

## **Arizona Medical Marijuana Program Frequently Asked Questions**

### **Physicians**

#### **PH01: What are my obligations to my patient?**

The law and rules specify requirements for issuing written certifications for patients for the medical use of marijuana. A physician is required to:

- Have made or confirmed a diagnosis of a debilitating medical condition, as defined in [A.R.S. § 36-2801](#), for the qualifying patient; Have established a medical record for the qualifying patient and am maintaining the qualifying patient's medical record as required in [A.R.S. § 12-2297](#);
- Have conducted an in-person physical examination of the qualifying patient within the last 90 calendar days appropriate to the qualifying patient's presenting symptoms and the debilitating medical condition the physician diagnosed or confirmed;
- Have reviewed the qualifying patient's medical records, including medical records from other treating physicians from the previous 12 months, the qualifying patient's responses to conventional medications and medical therapies, and the qualifying patient's profile on the Arizona Board of Pharmacy Controlled Substances Prescription Monitoring Program database;
- Have explained the potential risks and benefits of the medical use of marijuana to the qualifying patient, or if applicable, the qualifying patient's custodial parent or legal guardian;
- If the physician has referred the qualifying patient to a dispensary, have disclosed to the qualifying patient, or if applicable, the qualifying patient's custodial parent or legal guardian, any personal or professional relationship I have with the dispensary; and
- Attest that, in the physician's professional opinion, the qualifying patient is likely to receive therapeutic or palliative benefit from the qualifying patient's medical use of marijuana to treat or alleviate the qualifying patient's debilitating medical condition.

In addition, for a patient who is under the age of 18, another physician must:

- Have conducted a comprehensive review of the qualifying patient's medical records from other physicians treating the qualifying patient;
- If the physician has referred the qualifying patient to a dispensary, have disclosed to the qualifying patient, or if applicable, the qualifying patient's custodial parent or legal guardian, any personal or professional relationship I have with the dispensary; and
- Attest that, in the physician's professional opinion, the qualifying patient is likely to receive therapeutic or palliative benefit from the qualifying patient's medical use of marijuana to treat or alleviate the qualifying patient's debilitating medical condition.

#### **PH02: I've heard that ADHS will be looking for unprofessional conduct if**

**physicians write certifications for recreational use or for doing an incomplete evaluation. What do you plan to do?**

ADHS will periodically review the demographics of qualifying patients. If ADHS determines that a physician providing written certifications may be engaging in unprofessional conduct, ADHS will provide information to the physician's licensing board.

**PH03: If I sign up as a medical director for a dispensary what are my obligations and what is prohibited? What will a dispensary's medical director do?**

The duties of a dispensary's medical director include providing guidance to staff and clients of the dispensary. A medical director is not permitted by the rules to provide written certifications for medical marijuana.

**PH04: How much will it cost to apply for a registry identification card or a dispensary registration certificate?**

The fees are listed in rules and include:

- \$150 for an initial or a renewal registry identification card for a qualifying patient. Some qualifying patients may be eligible to pay \$75 for initial and renewal cards if they currently participate in the Supplemental Nutrition Assistance Program.
- \$200 for an initial or a renewal registry identification card for a designated caregiver. A caregiver must apply for a new card for every patient under their care (up to five patients).
- \$500 for an initial or a renewal registry identification card for a dispensary agent.
- \$5,000 for an initial dispensary registration certificate.
- \$1,000 for a renewal dispensary registration certificate.
- \$2,500 to change the location of a dispensary or cultivation facility.
- \$10 to amend, change, or replace a registry identification card.

**PH05: Can a physician revoke a patient's written certification?**

A physician may notify the Department if:

- the patient no longer has a debilitating medical condition; or
- the physician no longer believes that the qualifying patient receives therapeutic or palliative benefit from the medical use of marijuana; or
- the physician believes that the qualifying patient is not using the medical marijuana as recommended.

When the Department receives this notification from the physician who provided the written certification, the Department will notify the patient that the patient's [registry identification card is void](#) (R9-17-109) and no longer valid.

**PH06: If my patient has a debilitating medical condition A.R.S. 36-2801(3)(a), do I also have to mark severe and chronic pain?**

For a patient diagnosed with a [debilitating medical condition](#) listed on the certification form, a physician is only required to mark that condition.

If the physician marks a box in the second set of choices (cachexia or wasting

syndrome; severe and chronic pain; severe nausea; seizures, including those characteristic of epilepsy; or severe or persistent muscle spasms, including those characteristic of multiple sclerosis) indicating a symptom caused by a condition or treatment, the physician must also write the name of the underlying chronic or debilitating disease or medical condition.